

Message Text

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QUOTE

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PASS IO/SCT

E.O. 11652: GDS
TAGS: AORG, IAEA, PARM
SUBJECT: PROPOSAL TO EXPAND IAEA BOARD MEMBERSHIP - SOME
SOBERING THOUGHTS

SUMMARY: PURPOSE OF THIS MESSAGE IS TO ALERT DEPARTMENT TO PROPOSAL WHICH WILL BE INTRODUCED TO FEBRUARY MEETING OF BOARD OF GOVERNORS BY GROUP OF LDC'S TO EXPAND MEMBERSHIP OF BOARD AND TO SERIOUS IMPLICATIONS SUCCESS OF SUCH A PROPOSAL COULD POSE FOR THE ROLE OF THE IAEA IN THE NUCLEAR NON-PROLIFERATION EFFORT. END SUMMARY.

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1. LIST OF AGENDA ITEMS FOR FEBRUARY MEETING OF IAEA BOARD OF GOVERNORS (CIRCULATED AS GOV/1817, REPORTED IN DETAIL VIA SEPTEL) INCLUDES ITEM ENTITLED "AMENDMENT OF ARTICLE VI OF THE STATUTE" (WHICH PROVIDES FOR SELECTION OF MEMBERS OF THE BOARD). INSRIPTION OF ITEM WAS REQUESTED JOINTLY BY PAKISTAN, EGYPT, LIBYA AND NIGERIA. EXPLANATORY MEMORANDUM HAS

NOT YET BEEN ISSUED AND DETAILS OF WHAT WILL BE SOUGHT BY CO-SPONSORS ARE NOT YET KNOWN TO MISSION. HOWEVER, REPS OF PAKISTAN AND EGYPT HAVE TOLD MISOFFS THAT THEY WISH TO BEGIN DISCUSSIONS AT BG AIMED AT REVISING ARTICLE VI "TO CORRECT INEQUITIES IN THE GEOGRAPHICAL MAKEUP OF THE BOARD". BY THIS, ACCORDING TO THE SPONSORS, IS MEANT TO PROVIDE FOR ADDITIONAL SEATS FOR THE REGIONS OF MIDDLE EAST AND SOUTHERN ASIA AND AFRICA, WHICH, UNDER ARTICLE VI AS MOST RECENTLY REVISED, HAVE LOWEST DEGREE OF PROPORTIONAL REPRESENTATION ON BOARD.

2. THIS ARTICLE OF THE STATUTE HAS BEEN REVISED TWICE IN THE AGENCY'S HISTORY. IN 1963, THE MEMBERSHIP OF THE BOARD WAS INCREASED FROM 23 TO 25 AFTER TWO YEARS OF NEGOTIATIONS AND LABORIOUS INTERNAL PROCEDURES ON PART OF MEMBER STATES. THE SECOND REVISION ENTERED INTO FORCE IN 1973 FOLLOWING THREE YEARS OF TEDIOUS NEGOTIATIONS AND RESULTED IN AN INCREASE OF NINE ADDITIONAL BOARD SEATS. ADDRESSEES MAY RECALL THAT THIS EXERCISE WAS INITIATED BY ITALY WITH THE SOLE AIM OF PROCURING FOR ITSELF CONTINUING MEMBERSHIP ON THE BOARD. HOWEVER, ONCE NEGOTIATIONS ON REVISION HAD BEGUN OTHER AREAS INSISTED ON ADDITIONAL SEATS AS THE PRICE OF ACCOMMODATING ITALY'S AMBITIONS.

3. REGARDLESS OF WHAT IS SPECIFICALLY PROPOSED,
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THEFORE, IT IS UNLIKELY IN VIEW OF THE FOREGOING THAT THE FINAL OUTCOME OF SUCH AN EXERCISE WOULD RESULT MERELY IN THE ADDITION OF WHATEVER MAY BE NUMBER OF ADDITIONAL SEATS BEING SOUGHT SPECIFICALLY BY THE CO-SPONSORS IN THEIR OWN PARTICULAR INTERESTS. OTHER GEOGRAPHIC AREAS WOULD ALMOST CERTAINLY COME FORWARD WITH BIDS OF THEIR OWN FOR GREATER REPRESENTATION. RECALL THAT IN THE PAST TWO YEARS, COMPETITION FOR DESIGNATION OR ELECTION TO THE POWERFUL BOARD OF GOVERNORS HAS BEEN ONE OF THE MORE NOTABLE POLITICAL TENDENCIES WITHIN THE AGENCY'S GOVERNING BODIES. THIS RIVALRY HAS BEEN EVIDENT IN ALL REGIONS SAVE NORTH AMERICA AND EASTERN EUROPE. IT SHOULD BE NOTED THAT IN 1975, THE NEW REGIME IN SOUTH VIETNAM LOST ELECTION TO THE BOARD BY A NARROW MARGIN, AND IN THE SAME YEAR NORTH KOREA WAS BARELY PERSUADED FROM PUTTING FORWARD ITS CANDIDACY. IRAQ, WHICH HAS CONTRIBUTED NOTHING BUT IRRELEVANT POLITICAL CONTROVERSY TO

THE AGENCY'S AFFAIRS, WAS AN EAGER THOUGH UNSUCCESSFUL CANDIDATE FOR THE BOARD LAST YEAR. THE POINT WE WISH TO MAKE IS THAT ANY REVISION OF THIS ARTICLE WOULD PROVIDE THE LDC COMPONENT OF THE AGENCY'S MEMBERSHIP (MOST NOTABLY) WITH A GOLDEN OPPORTUNITY TO ESCAPE FROM TROUBLESOME CONTESTS AMONG THEMSELVES FOR BOARD SEATS, AND AT THE SAME TIME DESTROY THE PRESENT BALANCE OF INTERESTS THE BOARD NOW REPRESENTS, REPLACING IT WITH A MEMBERSHIP MORE FAITHFULLY REFLECTING THE INTERESTS OF THE "GROUP OF 77"; OF THE "HAVE NOTS" RATHER THAN THE "HAVES", OF THE DEVELOPING WORLD RATHER THAN OF THE "SUPPLIERS".

4. IN ORDER TO GAUGE THE EFFECT THIS WOULD HAVE ON THE AGENCY AND, BY EXTENSION, ON THE GREAT RELIANCE PLACE ON IT BY THE USG IN ITS NON-
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PROLIFERATION EFFORTS, IT IS WORTHWHILE TO RECALL THAT UNDER THE STATUTE THE BOARD IS NOT ONLY THE PRINCIPAL ORGAN RESPONSIBLE FOR THE AGENCY'S PROGRAM AND BUDGET, AS WELL AS FOR SELECTION OF A DIRECTOR GENERAL, BUT IS THE SOLE RPT SOLE AGENCY ORGAN VESTED WITH THE RESPONSIBILITY OF CONSIDERING SAFEGUARDS AGREEMENTS AND APPROVING THE APPOINTMENT OF AGENCY INSPECTORS. PROBABLY THE MOST IMPORTANT TASK GIVEN IT UNDER THE STATUTE, HOWEVER, IS TO SIT AS A TRIBUNAL IN CASES WHERE THE DG FEELS OBLIGED TO REPORT THAT HE IS UNABLE THROUGH NO FAULT OF HIS OWN, TO CARRY OUT THE AGENCY'S SAFEGUARDS RESPONSIBILITIES IN A PARTICULAR COUNTRY. IT IS AT THIS POINT THAT THE BOARD WOULD DETERMINE WHETHER OR NOT THE PARTICULAR PROBLEM INVOLVED SHOULD BE BROUGHT TO THE ATTENTION OF THE WORLD COMMUNITY. IT FOLLOWS FROM THE ABOVE THAT A MARKED ALTERATION IN THE CLIMATE OF THE BOARD AS NOW CONSTITUTED -- GENERALLY RESPONSIBLE AND SOBER -- WOULD HAVE SERIOUS IMPLICATIONS FOR OUR INTERESTS IN THE AGENCY ITSELF.

5. THE TIME IS PAST WHEN WE COULD SAY WITH CONFIDENCE THAT THE AGENCY WAS UNIQUE AMONG INTERNATIONAL ORGANIZATIONS IN THAT IT WAS FREE FROM EXTRANEOUS POLITICS AND CONCERNED ONLY WITH ITS TECHNICAL MANDATE. ANY ILLUSIONS ON THIS SCORE SHOULD HAVE BEEN SHATTERED BY THE BEHAVIOR OF THE LAST GENERAL CONFERENCE IN RIO, WHICH NOT ONLY ADMITTED THE PLO AS AN OBSERVER TO ALL FUTURE SESSIONS BUT, UNDER PRESSURE FROM ELEMENTS OF THE

THIRD WORLD, ACQUIESCED IN A RESOLUTION
REGARDING SOUTH AFRICA WHICH ALL BUT CALLED ON THE
BOARD TO VIOLATE THE STATUTE. QUITE ASIDE FROM THESE
ISSUES, EVEN MORE TROUBLING HAVE BEEN COMMENTS
MADE HERE AND AT RIO TO ME AND OTHER OFFICERS OF
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THE MISSION BY THIRD WORLD REPS TO THE EFFECT THAT
TIME HAS COME TO "BRING THE AGENCY INTO LINE WITH
OTHER UN ORGANIZATIONS." THE PROPOSAL FOR
STATUTE REVISION APPEARS TO US TO BE AIMED AT
ACHIEVING PRIMARILY THAT.

6. THE ENORMOUS DEGREE OF SUPPORT-BOTH MATERIAL
AND MORAL-WHICH THE USG HAS PROVIDED THE AGENCY,
PARTICULARLY IN RECENT YEARS, IS WELL KNOWN AND
NEEDLESS TO SAY IS LARGELY RESPONSIBLE FOR THE
HIGH DEGREE OF PROFESSIONALISM AND EXPERTISE
POSSESSED BY THE AGENCY STAFF. THE GROUP OF 77
IS ALSO AWARE OF THE STRONG U.S. COMMITMENT TO
THE AGENCY AND IT IS REASONABLE TO SUPPOSE THAT
CERTAIN MEMBERS OF THAT GROUP HAVE GAINED THE
IMPRESSION THAT THE U.S. WILL ACQUIESCE
IN ALMOST ANY MEASURE THEY ADVANCE PRECISELY
BECAUSE OF THAT COMMITMENT.

7. REVISION OF THE STATUTE (SEE ARTICLE XVIII)
IS ACCOMPLISHED ON APPROVAL BY TWO-THIRDS OF
THE GENERAL CONFERENCE AND COMES INTO FORCE WHEN
TWO-THIRDS OF THE MEMBER STATES HAVE DEPOSITED
INSTRUMENT OF ACCEPTANCE. ON BASIS OF PAST
EXPERIENCE, PROCESS WOULD TAKE 2-3 YEARS OF TIME CON-
SUMING EFFORT. WHILE IT IS
TOO SOON TO ADDRESS SPECIFIC TACTICS WE
MIGHT ADOPT TO OPPOSE REVISION OF ARTICLE VI,
DEPARTMENT SHOULD BE AWARE THAT WE MAY WISH TO
MOUNT MAJOR EFFORT THIS YEAR IN SELECTED CAPITALS
TO PREVENT TWO-THIRDS MAJORITY FROM MATERIALIZING.

8. I DO NOT WISH TO MISLEAD DEPARTMENT BY APPEAR-
ING TO OVERSTRESS SERIOUSNESS OF WHAT COULD RESULT
FROM THIS PROPOSAL, SHOULD WE BE UNABLE TO FORE-
STALL IT. HOWEVER, THE ISSUES AT STAKE ARE TOO
IMPORTANT NOT TO BE TAKEN INTO CONSIDERATION BY
THOSE IN USG INVOLVED IN THE SHAPING OF OUR NON-
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PROLIFERATION OBJECTIVES.

9. PAKISTANI AMBASSADOR IS CALLING ON ME 1/26
TO DISCUSS THE ARTICLE VI REVISION PROPOSAL AND
I WILL REPORT RESULTS OF OUR CONVERSATION. I
WOULD APPRECIATE, HOWEVER, DEPARTMENT'S INITIAL
REACTION TO THIS MESSAGE PRIOR TO THAT TIME. STONE

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